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HEADLINE: SCIENTIFIC PROOF ELUDES THOSE WHO DAMN SECOND-HAND SMOKE

BODY:

The Jan. 25 comments of Erie County Health Commissioner Dr. Arnold Lubin in support of his proposed Erie County **smoking** ban require a response.

Dr. Lubin says, "Our objective is to limit the places where **smokers** can smoke so that they don't impose potentially serious health effects on **non-smokers**."

I suspect that Dr. Lubin is familiar with the Congressional Research Service report that, following a 20-month investigation of the scientific studies regarding so-called second-hand **smoke**, concludes: "The results are not definitive. And even at the greatest (exposure) levels, the measured risks are still subject to uncertainty."

Although complex and written in the language of careful scientists, the report is a major blow to those who seek to ban **smoking** on the basis of harm to **non-smokers**.

Dr. Lubin states categorically that restaurant-business losses caused by **smoking** are only short term. That is not true. In New York City, research commissioned by the National **Smokers** Alliance indicates that six months into that city's **smoking** ban, 70 percent of restaurateurs surveyed indicated average revenue losses of 16.3 percent, with 42.4 percent indicating they had been forced to lay off employees.

Restaurants are labor-intensive, low-margin businesses that depend on discretionary spending for survival. Restaurant owners recognize that they are in a service industry and attempt to meet the needs of the marketplace, setting their own **smoking** policies to appeal to their customers. Those who wish to ban **smoking** should do so. But they -- not Dr. Lubin -- should decide.

THOMAS HUMBER

President and CEO

National **Smokers** Alliance

Alexandria, VA

GRAPHIC: Arnold Lubin: calls for ban.

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